IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Crl.Rev.Pet.No. 2137 of 2007()

CMP.5228/2006 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, ATTINGAL

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REVN. PETITIONER: COMPLAINANT

SAJEEV, S/O MAHADEVAN NAIR,
SAJANALAYAM, MUNDEKONATHU,
NALAMCHIRA, KDAPPANAKKUNNU VILLAGE.

BY ADV. SRI.SAJU.S.A

RESPONDENTS: STATE

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, THIRUVANANTHAPURAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 2137 OF 2007

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Dated this the 1st day of June 2007

O R D E R

The revision petitioner who is the complainant in C.M.P. No. 5228/2006 who had initiated proceedings under Section 138 of the Negotiable Instruments Act r/w Section 420 IPC, has sought for setting aside the order of the court below dismissing the complaint under Section 203 Cr.P.C. The revision petitioner has sought for an opportunity to pursue the matter.

2. Considering the nature of the proceedings, I find that the request has to be allowed. In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner to further proceed with the matter. The revision petitioner shall appear before Judicial First Class Magistrate-II, Attingal on **18.06.2007.**

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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